



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

OCT 12 2011

REPLY TO THE ATTENTION OF:

WN-16J

CERTIFIED MAIL 7009 1680 0000 7652 5798
RETURN RECEIPT REQUESTED

C. A. Burggraf, President
Peabody Midwest Mining, LLC
c/o Corporation Service Company
Registered Agent
251 East Ohio Street, Suite 500
Indianapolis, Indiana 46204

Re: Request for Information Pursuant to Section 308 of the Clean Water Act, 33 U.S.C.
§ 1318, Regarding Peabody Midwest Mining, LLC - Bear Run Mine, Indiana
Docket No. V-W-12-308-01

Dear Mr. Burggraf:

This letter concerns discharges of pollutants into waters of the United States associated with the Bear Run Mine, operated by Peabody Midwest Mining, LLC, located in southwestern Indiana.

Section 301 of the Federal Clean Water Act ("Act"), 33 U.S.C. § 1311, prohibits the discharge of pollutants into waters of the United States except as authorized by a permit issued pursuant to Sections 402 or 404 of the Act, 33 U.S.C. §§ 1342, 1344. Each discharge of pollutants from a point source that is not authorized by such a permit constitutes a violation of Section 301(a) of the Act, 33 U.S.C. § 1311(a).

This letter and the enclosures are a request for information issued pursuant to Section 308(a) of the Act, 33 U.S.C. § 1318(a). Section 308 of the Act authorizes the Administrator of the U.S. Environmental Protection Agency to require those subject to the Act to furnish information, conduct monitoring, provide entry to the Administrator or authorized representatives, and make reports as may be necessary to carry out the objectives of the Act. Enclosure 1, which is hereby made part of this letter, details the information Peabody Midwest Mining, LLC ("Peabody" or "you") must provide to EPA. Please submit your written responses in accordance with the instructions in Section I of the Information Request, which provides response deadlines and the address where information should be submitted. Pursuant to Section I, all information must be provided in the format requested within 60 days from the date this letter is received. Please provide a signed written confirmation, via fax or email attachment (pdf), to Janet Pellegrini, National Pollutant Discharge Elimination System Programs Branch, at the address provided in Enclosure 1, within 48 hours of receipt of this Information Request, of your intention to comply with this request.

Your response to this request must be accompanied by a certificate that is signed and dated by you or the person who is authorized by you to respond to the request. The certification must state that the response is complete and contains all information and documentation available to you pursuant to the request. Enclosure 2, which is hereby made part of this letter, provides a Statement of Certification for this purpose.

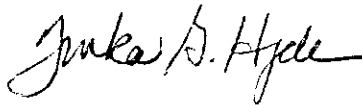
Failure to respond fully and truthfully to this information request may result in enforcement proceedings under Section 309 of the Act, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

Although the information requested must be submitted to EPA, you are entitled to assert a business confidentiality claim pursuant to the regulations set forth in 40 C.F.R. Part 2, Subpart B. If EPA determines the information you have designated meets the criteria in 40 C.F.R. § 2.208, the information will be disclosed only to the extent and by means of the procedures specified in Subpart B. Unless a confidentiality claim is asserted at the time the requested information is submitted, EPA may make the information available to the public without further notice to you (see Enclosure 3).

Enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet* to assist you in understanding the compliance assistance resources and tools available to you (see Enclosure 4). Any decision to seek compliance assistance at this time, however, does not relieve you of your obligation to EPA nor does it create any new rights or defenses, and will not affect EPA's decision to pursue enforcement action.

If you have questions regarding this notice and information request, please contact Janet Pellegrini, of my staff, at (312) 886-4298 or have your legal counsel contact Kasey Barton, Assistant Regional Counsel, at (312) 886-7163.

Sincerely,



Tinka G. Hyde
Director, Water Division

Enclosures

cc: P. Higginbotham, IDEM
Peabody Midwest Mining, LLC

ENCLOSURE 1
CLEAN WATER ACT (CWA) SECTION 308 INFORMATION REQUEST

I. Instructions

1. Peabody Midwest Mining, LLC must submit all information in response to this Information Request in the format requested for all items within 60 days from the date this letter is received.
2. Please provide a signed written confirmation, via fax or email attachment (pdf), to Janet Pellegrini, National Pollutant Discharge Elimination System Programs Branch, within 48 hours of receipt of this Information Request, of your intention to comply with this request.
3. Identify the person(s) responding to each Information Request.
4. All documents responsive to the Information Request should be provided in electronic format.
5. Respond to all requests using the following formats, as appropriate: MS Word Document, MS Excel Spreadsheet, MS Access Database, Geographic Information System (GIS) data, Adobe Acrobat Reader PDF format, or pictures and images in JPEG format.
6. For data that is requested and/or submitted in tables, the data shall be accumulated and organized into a clearly labeled and annotated MS Excel Spreadsheet. The spreadsheet should be formatted so that it can be printed on an 8.5" x 11" sheet of paper. The spreadsheet can be formatted to print on an 8.5" x 14" or 11" x 17" sheet of paper if doing so offers additional clarity.
7. All records and documents that you create and/or rely upon in responding to any part of this request must be maintained until EPA informs you in writing that maintenance is no longer required.
8. Provide a separate narrative response to each and every question and subpart of a question set forth in this Information Request. Precede each answer with the text and the number of the Information Request and its subpart to which the answer corresponds.
9. In answering each Information Request, identify all documents and persons consulted, examined, or referred to in the preparation of each response and provide true and accurate copies of all such documents.
10. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the Information Request and its subpart to which it responds.
11. Where specific information has not been memorialized in a document, but is nonetheless responsive to an Information Request, you must respond to the Information Request with a written response.
12. If information responsive to this Information Request is not in your possession, custody or control, then identify the person from whom such information may be obtained.

13. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Request or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.
14. If information not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find at any time after the submission of its response that any portion of the submitted information is false or misleading, you must notify EPA thereof as soon as possible.
15. Your response to this Information Request must be accompanied by a certificate that is signed and dated by you or the person who is authorized by you to respond to the request. The certification must state that the response is complete and contains all information and documentation available to you pursuant to the request. Enclosure 2 provides a Statement of Certification for this purpose.
16. All information submitted pursuant to this Information Request must be submitted to:

U.S. Environmental Protection Agency – Region 5
Attention: Janet Pellegrini
National Pollutant Discharge Elimination System Programs Branch, WN-16J
77 West Jackson Boulevard
Chicago, IL 60604
pellegrini.janet@epa.gov
312-886-4298 (phone)
312-692-2436 (fax)

II. Definitions

All terms used in this Information Request that are not defined below shall be defined as they are defined in Section 502 of the CWA, 33 U.S.C. § 1362, and regulations at 40 CFR § 122.2. Unless otherwise indicated, the following definitions shall apply strictly for the purposes of this Information Request:

1. “Bear Run Mine” shall include all mining or related operations associated with Bear Run Mine, located in Sullivan County, Indiana.
2. “Document” includes as any writings, drawings, graphs, charts, photographs, phone records, field records, operation logs/notes/field rounds sheets, electronic mail, facsimile, Supervisory Control and Data Acquisition (SCADA) information, and other data compilations from which information can be obtained and translated, if necessary, through detection devices into reasonably usable form. Documents should be produced as they are kept in the usual course of business.
3. “Identify” means, with respect to a natural person, to set forth the person’s name, present or

last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.

4. "Identify" means, with respect to a document, to provide its customary business description; its date; its number, if any (invoice or purchase order number); the identity of the author, addressee and/or recipient; and substance of the subject matter.
5. "Identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership), if any, and a brief description of its business.
6. "Mining operation" shall mean the following: any surface and/or underground mine, a coal processing and preparation plant, a coal transportation facility, and all associated operations.
7. "NPDES" or "NPDES Permit" shall mean National Pollutant Discharge Elimination System permit or any state permit issued pursuant to the NPDES program that Indiana is authorized to administer.
8. "Process water" means water (including storm water) that comes in contact with coal preparation plants and associated areas and active and post mining areas, and includes pre-existing discharges resulting from mining activities that have been abandoned prior to the time of a remining permit application.
9. "Point source" means any discernable, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, or container.
10. "Section 404 permit" shall mean a permit for dredge or fill activity issued by the Army Corps of Engineers.
11. "SMCRA" or "SMCRA Permit" shall mean any permit issued by Federal or State entities pursuant to the Surface Mining Control and Reclamation Act and shall include all issued and proposed amendments to the SMCRA permit.
12. "State" means the State of Indiana.
13. "Wetlands" shall mean those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.
14. "You" and "your" shall mean Peabody Midwest Mining, LLC and/or any company, entity, or corporation that has directed work at a Peabody Midwest Mining, LLC mining operation, and any parent, affiliate, subsidiary or related entity of Peabody Midwest Mining, LLC.

III. Information Requests

1. Identify the following for Peabody Midwest Mining, LLC: the state of incorporation, the principal place of business, and provide the name and mailing address of the registered agent for each state in which you do business. If there is a parent company, please list the name and address of the parent.

2. Identify all owners of Bear Run Mine. State the nature of the ownership interest for each owner. Identify all leases, limited liability and/or general partnership agreements, or any other ownership agreements in place for Bear Run Mine.
3. Identify all operators of Bear Run Mine during the five-year period preceding the date of receipt of this letter. For each operator, describe in detail the nature of the mining operations that entity engaged or engages in. Identify and provide all operating agreements in place for Bear Run Mine, including but not limited to, operating agreements in connection with the following:
 - A. All NPDES permits, including but not limited to Permit No. ING040239;
 - B. All SMCRA permits, including all issued and proposed amendments thereto, including but not limited to Permit Nos. S-256 and S-264;
 - C. All other mining operations owned or operated by your company associated with Bear Run Mine; and
 - D. Include the name, address and contact information for each operation.
4. Provide the following information for all the operations associated with Bear Run Mine, including, but not limited to, your operations in connection with SMCRA Permit Nos. S-256 and S-264, including all issued and proposed amendments thereto, and all NPDES permits associated with Bear Run Mine, including but not limited to, NPDES Permit No. ING040239. Provide information in chronological order, where applicable (i.e. 4F, 4G and 4H):
 - A. Provide the date that mining operations began.
 - B. Provide the primary Standard Industrial Classification (SIC) code(s).
 - C. Provide a table and/or list of permits, including SMCRA, NPDES and Section 404 permits, in effect at any time during the five-year period preceding the date of receipt of this letter, and include the permit number, date of coverage, and receiving water(s). Include the information required in No. 4F, 4G and 4H, below.
 - D. Provide a copy of all NPDES permits associated with Bear Run Mine in effect at any time during the five-year period preceding the date of receipt of this letter. Include copies of all related permit renewals, modifications or revisions, permit authorization notices and associated Notices of Intent (NOIs) or permit applications.
 - E. Provide a map which identifies the following:
 1. All process water and storm water discharge locations including latitude and longitude, where available, and, where applicable, associated outfall numbers; and
 2. All biological and water chemistry sampling locations associated with the results identified in No. 4F, 4G and 4H, below.
 - F. Provide all analytical results, including sampling results generated by any laboratory under contract to you, or by your employees, or by you, for any monitoring of process water and storm water discharges during the five-year period preceding the date of receipt of this letter, including ambient and groundwater monitoring for all

NPDES and/or SMCRA permits. Include all effluent sampling results completed by you or on your behalf, regardless of whether or not the data was submitted to any regulatory agency. Key all sampling results to their respective locations on the map required in No. 4E, and identify any permit associated with the results in the table/list required in No. 4C.

- G. Provide copies of all Discharge Monitoring Reports (DMRs) submitted to any regulatory agency during the five-year period preceding the date of receipt of this letter. Key the results to their respective locations on the map required in No. 4E, and identify any permit associated with each DMR in the table/list required in No. 4C.
- H. Provide a copy of all biological and water chemistry monitoring and/or sampling results during the five-year period preceding the date of receipt of this letter, other than the sampling results provided under No. 4F, above. Key the results to their respective locations on the map required in No. 4E, and identify any permit associated with the sampling results in the table/list required in No. 4C.
- I. Provide a narrative that identifies where the process water is generated and describes/illustrates how the water is conveyed (e.g. pipe, overland flow) and managed (e.g. pond/impoundment, discharged through outfall, overland flow, etc.). Provide a line drawing showing the water flow through the processing plant facility. Indicate sources of intake water, operations contributing wastewater to the effluent, and treatment units and /or sedimentation ponds labeled to correspond to the more detailed descriptions in I (1). Construct a water balance on the line drawing by showing average flows between intakes, operations, treatment units/ sedimentation ponds, and outfalls.
 - (1) For each outfall, provide a description of: (1) All operations contributing wastewater to the effluent, including process wastewater, cooling water, and storm water; (2) the average flow contributed by each operation; and (3) The treatment, if any, received by the wastewater.

ENCLOSURE 2

STATEMENT OF CERTIFICATION

I certify that the information contained in or accompanying this submission is true, accurate, and complete.

As to the identified portion(s) of this submission for which I cannot personally verify its truth and accuracy, I certify as the company official having supervisory responsibility for the person(s) who, acting under my direct instructions, made the verification, that this information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

By _____
(Signature)

(Title)

(Date)

ENCLOSURE 3

Confidential Business Information (CBI) Assertion and Substantiation Requirements

Assertion Requirements

You may assert a business confidentiality claim covering all or part of the information requested in the attached letter, as provided in 40 C.F.R. § 2.203(b). To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document over which you make a claim of confidentiality should be marked by placing on or attaching to the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret" or "proprietary" or "company confidential" and a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by the EPA only to the extent permitted and by means of the procedures set forth by Section 308 of the CWA, and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the attached letter as a waiver of that claim, and the information may be made available to the public without further notice to you.

Please segregate personnel, medical and similar files from your responses and include that information on separate sheet(s) marked as "Personal Privacy Information," given that disclosure of such information to the general public may constitute an invasion of privacy.

Substantiation Requirements

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208 which provides in part that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; and that the information is not and has not been reasonably obtainable by legitimate means without your consent.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking you to substantiate fully your CBI claim. You must provide EPA with a response within the number of days set forth in the EPA request letter. Failure to submit your comments within that time will be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. EPA will ask you to specify which portions of the information you consider confidential. **You must be specific by page, paragraph, and sentence when identifying the information subject to your claim.** Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being subject to CBI, EPA will ask you to answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question 1 above?

- A. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
- B. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
- C. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
- D. For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

Please note that effluent data provided under Section 308 of the CWA, 33 U.S.C. § 1318, is not entitled to confidential treatment under 40 C.F.R. Part 2. "Effluent data" means, with reference to any source of discharge of pollutant (as that term is defined in Section 502(6) of the CWA, 33 U.S.C. 1362 (6)):

Information necessary to determine the identity, amount, frequency, concentration, temperature, or other characteristics (to the extent related to water quality) of any pollutant which has been discharged by the source (of of any pollutant resulting from any discharge from the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration, temperature, or other characteristics (to the extent related to water quality) of the pollutants which, under an applicable standard or limitation, the source was authorized to discharge (including, to the extent necessary for such purpose, a description of the manner or rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.302 (a)(2)(i)(A), (B) and (C).

ENCLOSURE 4

U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources, including workshops, training sessions, hotlines, websites and guides, to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

EPA's Small Business Websites

Small Business Environmental Homepage - www.smallbiz-enviroweb.org

Small Business Gateway - www.epa.gov/smallbusiness

EPA's Small Business Ombudsman - www.epa.gov/sbo or 1-800-368-5888

EPA's Compliance Assistance Homepage

[www.epa.gov/compliance/assistance/
business.html](http://www.epa.gov/compliance/assistance/business.html)

This page is a gateway to industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

EPA's Compliance Assistance Centers

www.assistancecenters.net

EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

Agriculture

www.epa.gov/agriculture/

Automotive Recycling

www.ecarcenter.org

Automotive Service and Repair

www.ccar-greenlink.org or 1-888-GRN-LINK

Chemical Manufacturing

www.chemalliance.org

Construction

www.cicacenter.org or 1-734-995-4911

Education

www.campuserc.org

Food Processing

www.fpeac.org

Healthcare

www.hercenter.org

Local Government

www.lgean.org

Metal Finishing

www.nmfrc.org

Paints and Coatings

www.paintcenter.org

Printed Wiring Board Manufacturing

www.pwbrc.org

Printing

www.pneac.org

Ports

www.portcompliance.org

U.S. Border Compliance and Import/Export Issues

www.bordercenter.org

Hotlines, Helplines and Clearinghouses

www.epa.gov/epahome/hotline.htm

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

Antimicrobial Information Hotline

info-antimicrobial@epa.gov or
1-703-308-6411

Clean Air Technology Center (CATC) Info-line

www.epa.gov/ttn/catc or 1-919-541-0800

Emergency Planning and Community Right-To-Know Act

[www.epa.gov/superfund/resources/
infocenter/epcra.htm](http://www.epa.gov/superfund/resources/
infocenter/epcra.htm) or 1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline

www.epa.gov/otaq/imports or
734-214-4100

National Pesticide Information Center

www.npic.orst.edu/ or 1-800-858-7378

National Response Center Hotline - to report oil and hazardous substance spills

www.nrc.uscg.mil or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC)

www.epa.gov/opptintr/ppic or
1-202-566-0799

Safe Drinking Water Hotline

[www.epa.gov/safewater/hotline/index.
html](http://www.epa.gov/safewater/hotline/index.
html) or 1-800-426-4791

Stratospheric Ozone Protection Hotline

www.epa.gov/ozone or 1-800-296-1996

Toxic Substances Control Act (TSCA) Hotline
tsca-hotline@epa.gov or 1-202-554-1404

Wetlands Information Helpline
www.epa.gov/owow/wetlands/wetline.html or 1-800-832-7828

State and Tribal Web-Based Resources

State Resource Locators
www.envcap.org/statetools

The Locators provide state-specific contacts, regulations and resources covering the major environmental laws.

State Small Business Environmental Assistance Programs (SBEAPs)
www.smallbiz-enviroweb.org

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits. The website is a central point for sharing resources between EPA and states.

EPA's Tribal Compliance Assistance Center
www.epa.gov/tribalcompliance/index.html

The Center provides material to Tribes on environmental stewardship and regulations that might apply to tribal government operations.

EPA's Tribal Portal
www.epa.gov/tribalportal/

The Portal helps users locate tribal-related information within EPA and other federal agencies.

EPA Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two such policies that may apply to small businesses:

EPA's Small Business Compliance Policy
www.epa.gov/compliance/incentives/smallbusiness/index.html

This Policy offers small businesses special incentives to come into compliance voluntarily.

EPA's Audit Policy
www.epa.gov/compliance/incentives/auditing/auditpolicy.html

The Policy provides incentives to all businesses that voluntarily discover, promptly disclose and expeditiously correct their noncompliance.

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a SBREFA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247), or go to their website at www.sba.gov/ombudsman.

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Board, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in an enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Always remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.